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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,403	03/09/2004	Brian Jones	D-1222 R3	5590
28995	7590	08/23/2005		EXAMINER
RALPH E. JOCKE walker & jockey LPA 231 SOUTH BROADWAY MEDINA, OH 44256			LABAZE, EDWYN	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/797,403 Examiner EDWYN LABAZE	JONES ET AL. Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 June 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 18 is/are allowed.
- 6) Claim(s) 1,8-16,19 and 20 is/are rejected.
- 7) Claim(s) 2-7 and 17 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. Receipt is acknowledged of amendments filed on 6/9/2005.
2. Claims 1-20 (including new claims 19-20) are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 8-14, 16 and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Swinton et al. (U.S. 6,398,108).

Re claims 1 and 19: Swinton et al. discloses machine for dispensing media, which includes a media dispenser [herein ATM 10 having a dispenser slot 20; as shown in fig. # 1; col.4, lines 1+], wherein the dispenser is adapted for use in an automated banking machine 10, wherein the dispenser includes a sheet transport management (herein described as a transport

mechanism T; col.4, lines 25-67), wherein the transport arrangement includes a drive shaft 78/52 having at least one drive roller 78A thereon (col.7, lines 17-25), wherein the transport arrangement includes an idle shaft having a least one idle roller thereon (as shown in fig. # 8; col.6, lines 52-67), wherein the transport arrangement includes at least one belt 38/40 respectively supported on a drive roller 78A and an idle roller 52/54, wherein the drive shaft is operative to drive the idle shaft 52/54 via the at least one belt 38/40, wherein the idle shaft 52/40 is movable relative to the drive shaft to maintain the at least one belt 38/40 in a state of tension (col.8, lines 5067). Swinton further discloses a biasing arrangement {herein interpreted as arm 800A} (see fig. # 12, col.8, lines 37+).

Re claim 8: Swinton et al. discloses an apparatus and method, wherein the drive rollers 56 and idle rollers 52/54 have a concave outer circumferential surface configuration (see fig. # 10).

Re claim 9: Swinton et al. teaches an apparatus and method, wherein the drive rollers have a grooved outer circumferential surface (see fig. # 14 & 15).

Re claim 10: Swinton et al. discloses an apparatus and method, wherein the idle rollers 52/54 have a generally smooth outer circumferential surface relative to the grooved surface of the drive rollers 56 (see figs. # 10 & 11).

Re claims 11-12: Swinton et al. teaches an apparatus and method, wherein the dispenser includes a housing having a slotted opening 20, wherein an end of the drive shaft is removably mounted in the slotted opening 20B (as shown in fig. # 15), and wherein the dispenser includes a housing cover [herein broadly interpreted as the shutters 20A, 20B; as shown in figs. # 3 & 7],

wherein the cover in a closed position is operative to retain the end of the drive shaft in the slotted opening (col.6, lines 22+).

Re claim 13: Swinton et al. discloses an apparatus and method, wherein the dispenser includes at least one guide roller 58/60 adjacent the drive roller 56, wherein a guide roller extends at least partially between the drive roller 56 and the idle roller 52/54, wherein the guide roller is operative to provide curvature to a belt 38/40 supported on the drive roller and the idle roller (as shown in figs. # 8 & 9; col.8, lines 50-67; col.9, lines 1+).

Re claim 14: Swinton et al. teaches an apparatus and method, the transport arrangement is operative to transport currency notes [herein described as cash] intermediate the at least one belt 38/40 and a transport wall 23, wherein the transport wall comprises aligned walls of stacked dispenser modules (as shown in fig. # 3; col.4, lines 17-45).

Re claims 16 and 20: Swinton et al. discloses an apparatus and method, wherein the media dispenser comprises a currency dispenser in an ATM 10, wherein the currency dispenser 20 contains currency notes [herein described as cash] therein (col.4, lines 5+).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swinton et al. (U.S. 6,398,108) in view of Matsuno et al. (U.S. 5,039,086).

The teachings of Swinton et al. have been discussed above.

Swinton et al. fails to teach a transport arrangement comprises of at least three belts.

Matsuno et al. teaches method and apparatus for adjusting posture of sheets, which includes a transport arrangement comprises of at least three belts 51, 52, & 53 (as shown in fig. # 1; col.4, lines 10+).

In view of Matsuno et al.'s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings a transport arrangement comprises of at least three belts so as to increase the speed of the transport mechanism. Furthermore, such modification is well known in the art [as exemplified by the examiner in U.S. 5,850,075 of Brannan et al.) and utilized to dispense banknotes/media/cash at a faster rate and reduce overall transaction times. Moreover, such modification would have been an obvious extension as taught by Swinton et al.

Allowable Subject Matter

7. Claims 2-7 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claim 18 is allowed.

9. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach an apparatus wherein the idle shaft is spring loaded and the idle shaft is associated with at least one ratchet device, wherein the at least one ratchet device

prevents movement of the idle shaft toward the drive shaft. These limitations in conjunction with other limitations in the claimed invention were not known by the prior art of record.

Response to Arguments

10. Applicant's arguments filed 6/9/2005 have been fully considered but they are not persuasive.

Re claim 1 and 19: The applicant argues that the prior art of record, Swinton et al. (U.S. 6,398,108) does not teach a transport arrangement that includes "a drive shaft having at least one drive roller thereon." The Office has not shown roller (78A) to be a drive roller. Nor is there any teaching in Swinton that the roller (78A) drives a belt (38/40). Conversely, Swinton teaches (col. 7, lines 24-27) that the roller (78A) merely adds support to only the upper belt (38). It follows that the roller (78A) also does not drive the lower belt (40) {see page 10, last paragraph of applicant's arguments}).

The examiner respectfully disagrees with the applicant's remarks. Swinton does disclose a drive shaft 78 having at least one drive roller (as shown in figs. # 14-15; col.7, lines 20+), and Swinton teaches that the rollers 78A support the travel path of the upper belt 38 (col.7, lines 25+). Swinton shows (in fig. #) that the idle shaft 52/54 is driven by the belt 38/40 {through the pulleys 56/56' (col.8, lines 53+).

Re claims 8-14, 16: The examiner retains the rejections as set forth above.

Re claim 15: The examiner is presented a new secondary reference in view of Swinton for better emphasizing the limitations of the three belts {as known in the art} (see rejection above).

Re new claims 19-20: See examiner's interpretations of new limitations as rejected above.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allmendinger (U.S. 6,196,5420 discloses device for delivering, depositing, and aligning sheets in a stack container.

Peebles et al. (U.S. 6,032,9480 teaches apparatus for stacking sheets.

Saltsov et al. (U.S. 6,371,473) discloses combination banknote validator and banknote dispenser.

Willis et al. (U.S. 6,443,442) teaches extraction equipment for paper money.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

el
Edwyn Labaze
Patent Examiner
Art Unit 2876
August 15, 2005



THIEN M. LE
PRIMARY EXAMINER